



BOARD OF ZONING APPEALS

Application and Checklist

Department of Planning and Sustainability

1. **Appellants shall contact the Department of Planning and Sustainability to schedule a pre-application conference and to pay the review fee, according to the appeal being made: Variance \$300.00 or Administrative Appeal \$250.00. The pre-application conference must be completed prior to the deadline date.** Appellants will be advised of the details of the Board of Zoning Appeals procedures and requirements. It shall be the responsibility of the appellant to become familiar with the regulations, policies, and procedures of the City of Franklin. At the pre-application conference, the appellant shall designate one contact person to work with the Department of Planning and Sustainability for the duration of the project.
2. Contact the Franklin Department of Planning and Sustainability:
109 Third Avenue South, P.O. Box 305
Franklin, TN 37065-0305
Telephone: (615) 791-3212
Direct Line: (615) 550-6729
Fax: (615) 791-3257
3. Appellants shall provide the following information:

Ten (10) copies of each document and/or plan shall be submitted.
 - a. Completed application, included on page three of this checklist, and Ownership Affidavit.
 - b. The length of the boundaries of the lot measured to the nearest foot. Locations, square footages, and exterior dimensions, measured from outside wall to outside wall, of all existing and proposed buildings and structures. A plot plan may satisfy this requirement.
 - c. A Justification Letter requesting a hearing by the Board of Zoning Appeals which shall state fully the grounds for the request, and all of the facts upon which the appellant is relying, and shall address the following issues:
 - (1) The request is justified by either or both of the following: (i) the property is exceptional due to narrowness, shallowness, or shape of the property or (ii) the property contains exceptional topographic conditions or other extraordinary or exceptional situations or conditions;
 - (2) The strict application of the Zoning Ordinance would result in practical difficulties to or undue hardship upon the owner of the property

(e.g. Why is your situation- not of personal or financial nature- not generally applicable to other properties throughout the City); and

- (3) The relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zoning Ordinance.
- f. The appellant shall provide a copy of the notification letter to be sent by 1st Class Mail to property owners within 500 feet of the property, which must be approved by the Department of Planning and Sustainability prior to being sent. The Property Owner Notification Affidavit shall be completed and submitted to the Department of Planning and Sustainability prior to the request being added to the agenda.
- g. Submit applicable drawings, illustrations, and so forth, to accompany the request.
- h. The appellant shall provide any additional information as determined by the Department of Planning and Sustainability that will be necessary to obtain a review by the Department of Planning and Sustainability and/or by the Board of Zoning Appeals.
4. Submit the final request to the Department of Planning and Sustainability according to the following deadline and meeting date schedule.

SUBMITTAL DEADLINE DATE 12 NOON	MEETING DATE 6 PM
12/9/13	1/2/13
1/13/14	2/6/14
2/10/14	3/6/14
3/10/14	4/3/14
4/7/14	5/1/14
5/12/14	6/5/14
6/9/14	7/3/14
7/14/14	8/7/14
8/11/14	9/4/14
9/8/14	10/2/14
10/13/14	11/6/14
11/10/14	12/4/14
12/15/14	1/1/15*

If items are submitted for this agenda, the meeting date will be set by action of the Board

5. **Appellant shall provide proof of mailed notification to property owners within 500 feet of the property.** Upon payment of fees, the Department of Planning and Sustainability shall provide the list of all property owner mailing addresses within the 500 feet of the property. The appellant shall provide proof of the notification, through Property Owner Notification Affidavit. Failure to send notification letters or to provide proof of notification shall result in an **automatic removal** of the item from the BZA Agenda for failure to meet Section 2.3.8(4)(a) of the Franklin *Zoning Ordinance*.

BOARD OF ZONING APPEALS APPLICATION

FRANKLIN, TENNESSEE

SUBDIVISION:		LOT:			
LOT ADDRESS:					
ZONING:		LAND USE:		LOT ACREAGE:	
LOT SQUARE FOOTAGE:			BUILDING SQUARE FOOTAGE:		
ESTABLISHED / EXISTING SETBACKS:					
FRONT: _____ ft. SIDE: _____ ft. REAR: _____ ft.					
JUSTIFICATION LETTER:	<i>Check if included</i>	NOTIFICATION LETTER:	<i>Check if included</i>	DRAWINGS/ ILLUSTRATIONS:	<i>Check if included</i>
OTHER INFORMATION:					

TYPE OF REQUEST: (Check one)

☐ **Appeal of Administrative Decision** (provide additional information below)

☐ **Variance** (provide additional information on page 4)

If requesting an **Appeal of an Administrative Decision**, indicate the decision/interpretation under appeal, including the City Official with Title and Department, and the applicable section(s) of the *Zoning Ordinance* in question.

****If this information is not listed, the item shall be rejected by staff as incomplete.****

<u>Appeal of:</u>	<u>Zoning Ordinance Section:</u>	<u>City Official, with Title, & Department:</u>

If requesting a **Setback Variance**, indicate below which yard the setback variance is located within and provide an exact measure of the distance of the new setback in feet. If requesting a **Variance** of any other provision of the *Zoning Ordinance*, provide a detailed explanation below in "Other Variance Request."

****If this information is not listed, the item shall be rejected by staff as incomplete.****

Setback Variance: <i>Check applicable yard</i>	<input type="checkbox"/> Front Yard <input type="checkbox"/> Side Yard <input type="checkbox"/> Rear Yard	Exact distance of requested setback in feet:
Other Variance Request:		Zoning Ordinance Section: _____ Reason for the request:

APPELLANT NAME, ADDRESS, PHONE	AGENT NAME, ADDRESS, PHONE
Signature: _____ Date: _____	

Example Notification Letter

October 14, 2011

PUBLIC NOTICE

This letter is written to provide public notice for a Variance request for the property located at 123 Anystreet, Franklin, TN which will be heard by the Board of Zoning Appeals on November 3, 2011 at 6 p.m. in the City Hall Board Room. Please see the information below for more details.

Applicant:

Jane and Joe Citizen, 123 Anystreet, Franklin, Tennessee, 37064, (615) 123-4567

Application Type:

Variance request – ? foot encroachment into the required 25 foot rear-yard setback.

Date, Time, and Place of Public Meeting:

November 3, 2011 at 6 p.m. in the City Hall Board Room, 109 3rd Avenue South, Franklin, Tennessee, 37064.

Subject Property:

123 Anystreet, Franklin, Tennessee, 37064 in the Whispering Willows Subdivision

Nature and Scope of the Application Request:

This is a Variance request to cover an existing deck. More details can be given here...

Where to View the Application:

This application may be viewed in the Planning and Sustainability Department, 109 3rd Avenue South, Franklin, Tennessee, 37064.

Where the Public Can Be Heard:

The public may appear at the public meeting on November 3, 2011 at 6 p.m. to be heard, or submit written comments with respect to the application. Written comments may be directed to the City of Franklin Planning and Sustainability Department, 109 3rd Avenue South, Franklin, TN, 37064.

OWNER AFFIDAVIT

City of Franklin, Tennessee

We/I _____

(Please print Name/Names in Full)

being duly sworn, depose and say(s) that (I am)/(we are) the owner(s) of the property described as:

(Property Parcel/Tax ID Number)

and located at:

(Street Address)

am fully aware of the request for development approval in the City of Franklin, Tennessee. Furthermore, (I)/ (we) hereby appoint

(Please print Name/Names in Full)

to act as my/our authorized agent on my/our behalf on all matters pertaining to the processing and obtaining the application with the exception of legal documents for recording purposes.

Signature

Property Owner Mailing Address

City, State & Zip

Subscribed and sworn to before me this

_____ day of _____, 20_____.

Notary Public

My Commission Expires: _____

PUBLIC NOTICE AFFIDAVIT

City of Franklin, Tennessee

We/I _____

(Please print Name/Names in Full)

being duly sworn, depose and say(s) that (I am)/(we are), acting as the authorized agent on all matters pertaining to the processing of the development application for the property described as:

(Property Parcel/Tax ID Number)

and located at:

(Street Address)

have/has provided a mailed notice in accordance with section 2.3.8 of the Franklin Zoning Ordinance, which included the following:

1. The address or location of the property subject to the submittal;
2. A brief description of the property (e.g., legal description, nearby streets and intersections);
3. Date, time, and location of the public meeting or hearing; Nature, scope, and purpose of submittal;
4. Information on where the public can view the application and where they may be heard;
5. Information on where the public can submit written comments.

Signature

Subscribed and sworn to before me this

_____ day of _____, 20_____.

Notary Public

My Commission Expires: _____